

Michael Cassidy
The Planning Department
Camden Town Hall
Judd Street
London WC1H 9 JE

Re: 1 Centric Close, London, NW1 7EP 2016/6891/P

We, the undersigned, are owners of and/or resident at the following addresses:

Adam Driscoll – 15 Oval Road, London, NW1 7EA
Matt Ashworth – 15A Oval Road, London, NW1 7EA
Steven & Patricia Payton - 17C Oval Road London NW1 7EA
Tracy Lewis – 17B Oval Road, London NW1 7EA
Adam Shaw & Nicolette Sorba – 19 Oval Road, London NW1 7EA
Margriet Den Boer - 23A Oval Road, London NW1 7EA
Elisa Boccaletti - 23D Oval Road London NW1 7EA
George Stephens - 25 Oval Road, London NW1 7EA
Primavera Boman-Behram - 27 Oval Road London NW1 7EA
Niyi Ajoje – 29 Oval Road, London NW1 7EA
Ian and & Sonia Summerbell – 17A Oval Road, London NW1 7EA

“The Oval Road Group”

Many of us have made individual comments in relation to the Centric Close planning application.

It is clear that the properties contained within the The Oval Road Group are those that are most directly affected by the Centric Close proposals as they are the properties that are clearly and unarguably impacted by either overlooking and loss of privacy and utility or loss of sunlight issues – or in the cases of many of the properties, both issues.

The Committee Report assessing the proposed scheme that we were able to read prior to its proposed submission to the May planning committee clearly failed to take into account the concerns of The Oval Road Group.

We now wish to make the following additional representations for the attention of the Planning department and the Planning Committee Members. This joint letter is in addition to the specific objections of the residents who have written individually to the committee and its officials.

Failure to Fully Assess Relevant Planning Considerations

The report fails to fully assess all material planning considerations against the relevant planning policies in this instance, namely planning policy as set out in CPG 6 in respect of overlooking, privacy and outlook as well as daylight and sunlight.

Failure to fully assess the proposal against the policies of the development plan would be contrary to the requirements of Section 38(6) of the Planning and Compulsory Purchase Act 2004 and Section 70(2) of the Town and Country Planning Act 1990 which requires that proposals for development must be determined in accordance with the development plan unless material considerations indicate otherwise. Not only does the report not fully assess impact it fails to detail the material considerations that indicate why the clear conflict with policy is acceptable in this instance.

We do not believe that full consideration has been given to our concerns regarding the planning proposal and a full assessment of the likely impact of the development has been neglected in respect of our properties that are clearly likely to be disadvantaged by the development as currently proposed. As a result we consider that we have been disadvantaged in the process.

If this continues to be the case then we will escalate any necessary action via the relevant Local Authority complaints procedure and, if necessary, involve the Local Government Ombudsman in the process.

These concerns in relation to The Oval Road Group Properties have not been fully addressed either by the developer or in the originally proposed committee report and we now draw attention to the following points:

Camden have an adopted 'development policies' document and Policy DP26 refers specifically to amenity and how this will be given consideration in the planning process. The Policy (DP26) refers to a 'Supplementary Planning Document' - CPG6 - that provides more specific assessment of impact on amenity.

Daylight & Sunlight

On page 31 of that document a section dealing with Daylight and Sunlight gives the following key highlights:

KEY MESSAGES:

- We expect all buildings to receive adequate daylight and sunlight.*
- Daylight and sunlight reports will be required where there is potential to reduce existing levels of daylight and sunlight.*
- We will base our considerations on the Average Daylight Factor and Vertical Sky Component.*

It goes on to state that the guidance relates to:

- Policy DP26 – Managing the impact of development on occupiers and neighbours of the Camden Development Policies.*
DP26 sets out how the Council will protect the quality of life of building occupiers and neighbours by only granting permission for development that does not cause harm to amenity.

Whilst 6.5 gives the Council discretion in this area, the tenor of the document and policy is to seek to protect amenity for neighbours.

The GIA report submitted in March makes it clear that the planning proposal does not conform to the BRE guidelines. The document itself states "With regard to the sunlight results, as stated in our report five properties experience alterations in sunlight beyond the recommended BRE Guidelines" and elsewhere states "These windows experience alterations in VSC which are in breach of the BRE Guidelines". In the summary the following statement is included: "19 and 23-29 Oval Road will experience alterations in daylight/sunlight beyond the BRE Guidelines."

The conclusion of the document seeks to set aside Camden's own stated policy guidance in CPG 6 and DP26 by claiming that these policies should be overridden in an urban environment. The policies were clearly drafted to take into account an urban situation – it cannot be claimed that Camden is anything other than a dense urban environment. Therefore to try and stretch beyond the existing policy framework to the detriment of a number of current homeowners is not acceptable. Nor is it necessary – the problem can be resolved with a relatively small overall reduction in the density proposed on the development.

Distance Between Homes

Paragraph 10.17 of the Planning application concedes that the proposed development contravenes The Mayors Housing Design Guide of requiring 18-21m between facing homes. The application admits that in this design "the separation distance falls short of the 18m". It is our opinion that in some cases this falls significantly short of the minimum distance and is an unacceptable intrusion into the existing properties.

Privacy & Overlooking

We would also like to draw the committee's attention to the policies outlined on page 37 that deal directly with privacy and overlooking.

Section 7.4 specifically states in relation to Overlooking and Privacy:

Development should be designed to protect the privacy of both new and existing dwellings to a reasonable degree.... The most sensitive areas to overlooking are:

- *Living rooms;*
- *Bedrooms;*
- *Kitchens; and*
- *The part of a garden nearest to the house.*

The buildings at the Southern Elevation of the development have windows and balconies that overlook all of the areas detailed above. This overlooking is more pronounced from the higher floors of the new development. There are a number of young children whose bedrooms would be directly overlooked by the proposed new development that would substantially affect their privacy.

In addition the 4 storey building also has a proposed play area on its rooftop – effectively creating a view from a virtual 5th floor. The already unacceptable degree of overlooking would be further compounded by this playground giving additional opportunities for overlooking.

These objections have also been noted by The Primrose Hill Conservation Area Advisory Committee as detailed in section 4.3 of the report to the Planning Committee.

Section 14 of the document that was set to be presented to the Planning Committee looks at the Impact on Residential Amenity. The conclusion given at 14.52 that the proposed building is not overbearing and does not lead to undue overlooking or loss of privacy is incorrect. The developer has not, at any point in the planning case, assessed the visual impact from the back of some of the relevant properties or looked into many of the privacy and overlooking issues that arise.

On that basis the Conclusions drawn in sections 24.3 and 24.4 are also erroneous. The disregard for overlooking issues given in relation to the Oval Road Group properties is also surprising given the clear consideration that was given regarding similar issues within the internal scope of the development itself which are noted in item 10.16 of the planning report.

In Conclusion

In conclusion, it is disappointing that the developers seem to be choosing to disregard the impact of the 4 storey and 5 storey elements of the development on neighbouring properties both in regard to overlooking and privacy and in reduced light levels in a number of affected buildings on Oval Road.

These problems could probably be ameliorated if the developer made amendments to the scheme. At the very least, the planning committee should give strong consideration to recommending the planning subject to lower height buildings on the southern side of the site.

However even this would not stop a huge invasion of privacy into the bedrooms of the existing residents and we strongly believe that this application should be rejected for the reasons we have highlighted.

Yours



Signed on behalf of The Oval Road Group as detailed above.